



WEB COPY

W.P.(MD) No.348 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.01.2020

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

and

THE HONOURABLE MR.JUSTICE T.RAVINDRAN

W.P. (MD) No.348 of 2020

Mohanarani

... Petitioner

-vs-

1.The Chief Election Commissioner
Jawaharlal Nehru Road
Koyambedu, Chennai

2.District Collector Cum
The District Election Officer
Collectorate
Dindigul

3.The Assistant Election Officer
Kookkal Village
Kodaikanal
Dindigul District

4.The Block Development Officer
Kodaikanal
Dindigul District

5.Valarmathi

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of declaration to declare the election conducted on 30.12.2019 for Panchayat President in Kookkal Village, Kodaikanal, Dindigul District is not valid and direct the respondents 1 to 3 to hold re-election in Kookkal Village, Kodaikanal, Dindigul District.

For Petitioner : Mr.N.Mohan

For Respondents : Mr.Raja Karthikeyan for R1
Mr.K.Chellapandian
Additional Advocate General
assisted by Mr.V.R.Shanmuganathan
Special Government Pleader for R2 to R4



O R D E R

[Order of the Court was made by M.DURAISWAMY, J.]

The petitioner has filed the above writ petition to issue a writ of declaration to declare the election conducted on 30.12.2019 for the post of Panchayat President, in Kookkal Village, Kodaikanal Taluk, Dindigul District, as invalid and to direct the respondents 1 to 3 to conduct re-election in the said Village.

2. The petitioner has got alternative remedy by way of election petition under Section 258 of the Tamil Nadu Panchayats Act, 1994. Instead of filing election petition, the petitioner has approached this Court by filing a writ petition under Article 226 of the Constitution of India. That apart, the issues involved in the present writ petition are the matter of evidence, which cannot be decided in a writ jurisdiction. In these circumstances, we are not inclined to entertain the writ petition.

3. Accordingly, the writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (writs)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To:

1.The Chief Election Commissioner
Jawaharlal Nehru Road
Koyambedu, Chennai

2.The District Collector-cum-
The District Election Officer,
Collectorate,
Dindigul.

3.The Assistant Election Officer,
Kookkal Village,
Kodaikanal,
Dindigul District.

4.The Block Development Officer,
Kodaikanal,
Dindigul District.

+1 CC to SPL.GP (SR-1212[F] dated 09/01/2020)

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